

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA

VS.

DEMETRIUS LEWIS,

Supervised Releasee

NO. 5: 01-CR-93 (HL)

RE: VIOLATION OF SUPERVISED RELEASE

ORDER

DEMETRIUS LEWIS, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for a Preliminary Hearing/Detention Hearing under provisions of Rule 32.1 of the Federal Rules of Criminal Procedure, represented by Mr. Christopher Brian Jarrard of the Federal Defenders Office. The government was represented by Assistant U. S. Attorney Charles L. Calhoun.

On the issue of probable cause, the undersigned finds probable cause to believe that Mr. Lewis has violated conditions of supervised release as alleged in numbered paragraphs 3. and 5. of the PETITION FOR ACTION ON SUPERVISED RELEASE filed herein on August 8, 2008, by U. S. Probation Officer Kevin L. Mason. The government has established to the satisfaction of the court that **SUPERVISED RELEASEE** Lewis possessed cocaine on or about February 5, 2008 and March 26, 2008, as evidenced by his written admission on the former and his oral admission to his supervising probation officer on the latter. Positive test results of July 21st and 28th of 2008 corroborate a propensity to continue to violate the law and conditions of supervision. In addition, the undersigned finds probable cause to believe that Mr. Lewis engaged in “holding powder cocaine” for another individual over a period of time up to April 7, 2008, when he so advised his supervising probation officer.

Upon consideration of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. It is alleged in the PETITION FOR ACTION ON SUPERVISED RELEASE, *inter alia*, that the **SUPERVISED RELEASEE** possessed cocaine on several occasions from February through July of 2008 and that he assisted another in “holding powder cocaine” ostensibly for sale by the other individual. As noted above, Mr. Lewis has demonstrated a propensity to involve himself in illegal activity while under supervision. Therefore, IT IS ORDERED AND DIRECTED that he be **DETAINED** by the United States Marshal pending completion of a Final Revocation Hearing.

While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said **SUPERVISED RELEASEE** shall appear before the district judge to whom this case is assigned for a FINAL HEARING as directed by that judge. The Clerk of Court is directed to forward this order and the within file to the appropriate district judge for the scheduling of said FINAL HEARING at the earliest possible time.

SO ORDERED AND DIRECTED, this 12th day of AUGUST, 2008.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE